

SENATE BILL 803

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 13,  
Chapter 7, Part 4, relative to appeals from orders  
or judgments of the historic zoning commission or  
regional historic zoning commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-7-409, is amended by deleting the section in its entirety and by substituting instead the following language:

(a)

(1) The legislative bodies of the various municipalities and counties within the state may enact an ordinance or resolution, as appropriate, providing that anyone who may be aggrieved by any final order or judgment of the historic zoning commission or regional historic zoning commission may, within thirty (30) days following the entry of such final order or judgment, file an appeal to the legislative body having jurisdiction over the property in question, which shall by majority vote approve or disapprove the final order or judgment of the historic zoning commission or regional historic zoning commission. Where the legislative body having jurisdiction over the property in question enacts an ordinance or resolution authorized in this subsection (a), anyone who may be aggrieved by any final order or judgment of the historic zoning commission or regional historic zoning commission must appeal in the first instance to the legislative body having jurisdiction over the property in question. Anyone who may be aggrieved by the decision of the legislative body having jurisdiction over the property in question may have such decision reviewed by the courts by the procedure of statutory certiorari, as provided in title 27, chapter 8.

(2) The provisions of this subsection shall become effective in a particular county only upon adoption of a resolution by a two-thirds (2/3) vote of the county legislative body of such county or in a particular municipality only upon adoption of an ordinance by a two-thirds (2/3) vote of the municipal legislative body of such municipality.

(b) Where the legislative body having jurisdiction over the property in question has not enacted an ordinance or resolution in accordance with subsection (a), anyone who may be aggrieved by any final order or judgment of the historic zoning commission or regional historic zoning commission may have such order or judgment reviewed by the courts by the procedure of statutory certiorari, as provided in title 27, chapter 8.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.